



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 06-02

Date: January 9, 2006

Application No. 200000455

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

SUBJECT: Proposed Boat Access Excavation at French Broad River Mile 42.0L, Douglas Lake, Jefferson County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant **Section 10 of the Rivers and Harbors Act of 1899**. The applicant will apply for an Aquatic Resource Alteration Permit required by the State of Tennessee for the proposed work.

APPLICANT: Mr. Ray Krol
1407 Lake Front Drive
Dandridge, Tennessee 37725

Ms. Marie Johnston
1397 Lake Front Drive
Dandridge, Tennessee 37725

LOCATION: French Broad River Mile 42.0L, Douglas Lake, Jefferson County, Tennessee
Latitude: 35-58-26
Longitude: 83-25-19
USGS Topographic Map: Shady Grove, TN

DESCRIPTION: The proposed work consists of excavating approximately 3,519 cubic yards of material from the lake bottom. Excavation would begin approximately 15' from the shoreline, normal summer pool elevation 1002. The excavated area would be a triangular area measuring approximately 200' x 380' with an average cut of 2.5' to elevation 995.0. The purpose of the work is to provide navigational water depth to two private docks, to be built at a future date, by removing accumulated sediment and debris. The work would be accomplished using a dozer and dump truck. Excavated material would be placed above the 1007 elevation and immediately stabilized and utilized as a building pad for new home construction.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which

reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. TVA issued approval for removal of topsoil by letter dated October 27, 2005.

b. Aquatic Resource Alteration Permit (ARAP) from the State Tennessee. The State issued an ARAP to the previous homeowner for the similar work on June 12, 2000. This permit expired June 12, 2002 before the work was performed.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

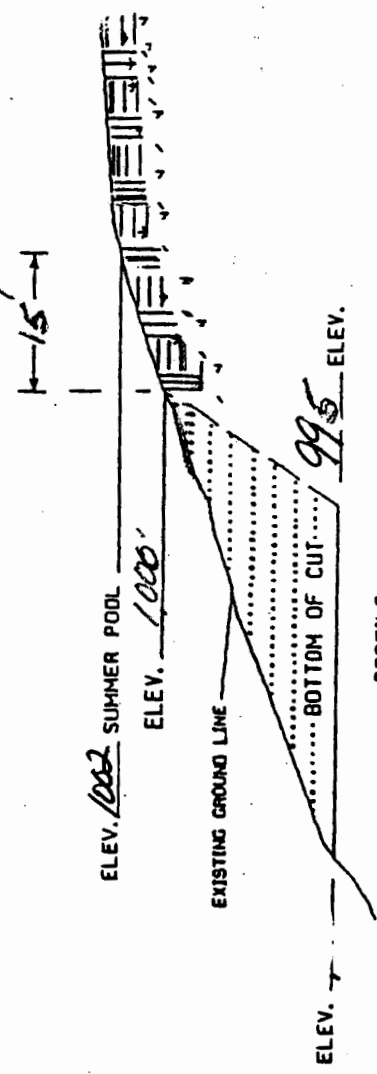
Written statements received in this office on or before February 9, 2006, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Maryellen Farmer, at the above address, telephone (615) 369-7517.



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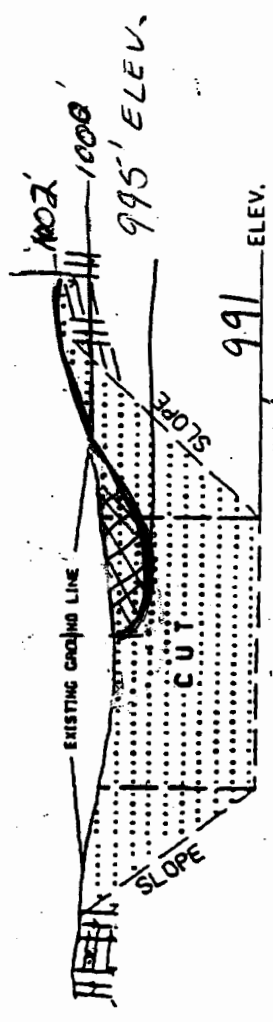
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USGS
SHADY GROVE, TENN.

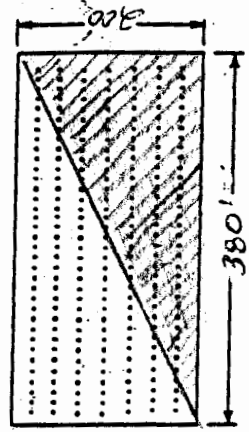


PROFILE
(NO SCALE)

NO. CU. YDS. OF SPOIL TO BE EXCAVATED _____ NOTE: SPOIL MUST BE PLACED ABOVE 1007' CONTOUR ELEV.
NO. SQ. FT. OF LAKE BOTTOM AFFECTED _____



SECTION VIEW



PLAN
(AT BOTTOM OF CUT)

APPLICANT	Krai Johnston
RESERVOIR	DOUGLAS
RIVER	French Broad
SUBDIVISION	LAKE DOUGLAS LTD
LOT	23 + 24
TRACT NO.	MAP NO. 83K

CHANNEL EXCAVATION